

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ABANTE ROOTER AND PLUMBING,
INC., a California corporation, and TERRY
FABRICANT, an individual, individually and
on behalf of all others similarly situated.

Plaintiffs,

v.

CREDITORS RELIEF LLC, a New Jersey
limited liability company.

Defendant.

Case No. 2:20-cv-03272

Hon. Susan D. Wigenton

**NOTICE OF MOTION: (I) TO DISMISS
FOR LACK OF SUBJECT MATTER
JURISDICTION; (II) IN THE
ALTERNATIVE, TO STRIKE THE
CLASS ACTION ALLEGATIONS; AND
(III) TO STAY DISCOVERY PENDING
RESOLUTION OF THE MOTION**

PLEASE TAKE NOTICE that on February 16, 2020, at 9:00 a.m. or as soon thereafter counsel may be heard, the undersigned counsel for the Defendant, Creditors Relief LLC, will move before the United State District Court District of New Jersey, Civil Division, Essex County, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, for an order to: (I) dismiss Plaintiffs' Complaint for lack of subject matter jurisdiction; (II) in the alternative, to strike Plaintiffs' class action allegations; and (III) to stay discovery pending resolution of the motion.

PLEASE TAKE FURTHER NOTICE that in support thereof, the undersigned attorney for Defendant shall rely upon the attached Memorandum of Law and the attached Certification of David Graff Esq., and any exhibits attached thereto. A proposed form of order is hereby attached.

PLEASE TAKE FURTHER NOTICE that oral argument is waived. No pre-trial proceedings have been scheduled in this matter.

CREDITORS RELIEF LLC

By: /s/ David Graff
David Graff

DATED: October 17, 2020